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DE RUEHKT #1866/01 1941150
ZNY CCCCC ZZH
O 131150Z JUL 06
FM AMEMBASSY KATHMANDU
TO RUEHC/SECSTATE WASHDC IMMEDIATE 2334
INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 4582
RUEHLM/AMEMBASSY COLOMBO PRIORITY 4836
RUEHKA/AMEMBASSY DHAKA PRIORITY 9952
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 2823
RUEHLO/AMEMBASSY LONDON PRIORITY 4234
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 9997
RUEKJCS/SECDEF WASHDC PRIORITY
RHEFDIA/DIA WASHDC PRIORITY
RHHMUNA/CDR USPACOM HONOLULU HI PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L KATHMANDU 001866

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E.O. 12958: DECL: 07/13/2016
TAGS: [PGOV](#) [PTER](#) [PHUM](#) [PREL](#) [NP](#)
SUBJECT: PEACE SECRETARIAT STRAINING TO SUPPORT OPERATIONAL
PEACE PROCESS

REF: A. KATHMANDU 1785

[1](#)B. KATHMANDU 1563

[1](#)C. KATHMANDU 1799

[1](#)D. KATHMANDU 1373

Classified By: Charge d'Affaires Nicholas Dean. Reasons 1.4 (b/d).

Summary

[1](#)1. (C) CDA and A/DCM met July 10 with Vidya Dhar Mallik,
Secretary of the Peace Secretariat, to discuss the role the

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Secretariat was playing in the peace process and the

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Secretariat's plans for the future. The Secretariat is

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currently supporting four important committees in the peace
process, as well as the Government of Nepal's (GON) peace
talks team. Mallik was concerned about the fiscal realities
of the Secretariat as well as the consequences of the
inclusion of Maoists into Secretariat committees or programs.

He had no idea when replacements might be found for the
National Human Rights Commission (NHRC) and the Election
Commission (EC). End Summary.

Background and Structure

[1](#)2. (C) The Peace Secretariat previously supported the High
Level Peace Committee formed under the government of former
Prime Minister Sher Bahadur Deuba, and the PM was the
chairman of the committee when it was formed. After the
King's takeover of February 2005, the Peace Committee was
dissolved, but the Peace Secretariat remained. The newly
formed GON, under PM Koirala, gave clearance to the
Secretariat to support the peace process and other aspects of

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the move toward a peaceful and democratic Nepal. According
to Mallik, there were currently four main groups for the
Secretariat to support: the National Monitoring Committee on

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Code of Conduct for Ceasefire (NMCC) (ref A), the Peace Talks Observer Committee, the Interim Constitution Drafting Committee, and the GON's peace talks team (ref B). The Secretariat has detailed permanent staff to operational

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committees to form core staffs.

Primary Responsibility: Support Peace Talks

13. (C) Mallik told us that the primary responsibility of the Peace Secretariat was to provide support to the GON's peace talks team with the Maoists. The Secretariat provided logistical support and information for the peace talks team. Mallik stated that the Maoists had their own negotiation secretariat that supported their side. Originally, the Peace

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Secretariat played the role of observer and support staff for

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the GON talks team, but now their role had become one of only support.

...And Support Operational Committees

14. (C) According to Mallik, the Secretariat provides logistical support and expertise to the NMCC and the Observer Committee. The Secretariat has provided offices, furniture, computers and staff for the two committees to accomplish their work, and has also provided them with expertise through information and access to the negotiation process. Mallik said the Secretariat acted as a liaison between the GON talks team and these committees. Mallik expressed his hope that the committees would soon become independent entities with individual mandates and budgets. He said that the staff of the NMCC currently received no salary, but that he hoped to be able to provide them with travel expenses to observe the situation outside of the Kathmandu Valley, an honorarium or allowance for living expenses, and fuel and vehicles. He also stressed that the NMCC needed official promulgation by the GON, listing in the Nepal Gazette, and recognition/safe passage from the Maoists in rural districts in order to do the NMCC's job effectively.

15. (C) Mallik said the Secretariat has also housed and provided logistical support to the Interim Constitution Drafting Committee. Since the drafting committee began its

work on July 5, the Peace Secretariat had been supporting them to accomplish their task. Mallik encouraged CDA to meet with the drafting committee. He told us that the committee had begun its work, but was still trying to decide how to add women to the committee to meet the 33 percent mandate, and who those women should be.

Finances Could Be A Problem

16. (C) Mallik was concerned that the fiscal resources of the Secretariat were being sapped by supporting four separate

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committees. He said that the Secretariat was paying the salaries of its own staff, as well as that of staff detailed to the committees. He said they had a formal support relationship with all the committees except for the Interim Constitution Drafting Committee, which he thought should not have been put under the Peace Secretariat at all, but rather under the Ministry of Law and Justice. Mallik expected that the drafting committee would likely stay under the Secretariat, at least until the committee is formally

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recognized by the Parliament or successor body. He did not

give an indication of when, or if, this may occur.

¶7. (C) The Peace Secretariat put a proposal to the Cabinet suggesting that the Cabinet should decide on financial matters regarding the Secretariat and give a formal instruction mandate to the Secretariat. Mallik told us that there was no specific provision in the budget for the Peace Secretariat and that this was problematic. Mallik seemed

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particularly worried about budgetary concerns of the Peace Secretariat in its new support role. He added that the

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Secretariat was considering creating a "Reporting Committee"

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to report on violations of the cease-fire Code of Conduct (ref C), but that this would have to wait for budgetary approval. He thought such a committee was necessary because right now the NMCC will report violations directly to the talks team, who might have an incentive to not fully report the violations if they think the violations could harm the process.

Peace Committee: Maoist Inclusion Problematic

¶8. (C) Mallik described the reconstituted Peace Committee, composed of ten political leaders and chaired by Ram Chandra Poudel, General Secretary of the Nepali Congress Party. Mallik is the Secretary of the Committee. The Committee intends to create Peace Councils in all districts of the country to report through the Peace Secretariat to the Peace Committee. He acknowledged that the Maoists would likely be part of these locals Peace Councils, especially in the places where they were the only functioning local "government." The Peace Committee hoped to provide financial and logistical support for these Peace Councils. Mallik expressed concern that inclusion of the Maoists could endanger U.S. support and funding for programs of the Peace Secretariat. Mallik was keenly aware of U.S. legal strictures regarding provision of assistance to entities which could include Maoists.

No Commissioner Replacements Yet

¶9. (C) Mallik told us that he had no idea when new commissioners for the NHRC or the EC might be appointed (ref D). He stated that, for now, the National Monitoring Committee on Code of Conduct for Ceasefire was the only organization that could effectively monitor the cease-fire and potential human rights abuses. He emphasized the need for the committees to get out of the Kathmandu Valley and begin to do field work monitoring the situation, but said monitoring groups are waiting for funding from the government to do so.

Comment

¶10. (C) The Peace Secretariat has a confused, meandering organizational chart binding it to operational committees but is clearly a work in progress. Secretariat Chief Mallik gave evidence of flexible bureaucratic competence which has

enabled him to cope with a rapidly evolving but still fluid peace structure. Mallik is acutely aware of the ramifications of legal strictures on U.S. assistance to the Peace Secretariat and operational committees in the likely event of Maoist participation.

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